

Objection Deadline: October 6, 2010 at 9:00 a.m.
Hearing Date: October 6, 2010 at 9:30 a.m.

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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<i>In re</i>	: Chapter 11
	:
Truvo USA LLC, <i>et al.</i>	: Case No. 10-13513 (AJG)
	:
Debtors.	: Jointly administered
	:
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**NOTICE OF HEARING FOR AN ORDER: (A) AUTHORIZING CERTAIN
MODIFICATIONS TO DEBTORS' FIRST AMENDED JOINT PLAN OF
REORGANIZATION; (B) APPROVING SUPPLEMENT TO DISCLOSURE
STATEMENT; (C) ESTABLISHING PROCEDURES FOR VOTING ON DEBTORS'
SECOND AMENDED JOINT PLAN OF REORGANIZATION; AND
(D) SCHEDULING CONFIRMATION HEARING**

PLEASE TAKE NOTICE THAT, on October 1, 2010, Truvo USA LLC, *et al.*, debtors and debtors-in-possession (the "Debtors"), filed with the United States Bankruptcy Court for the Southern District of New York (the "Court") a letter addressed to the Honorable Arthur J. Gonzalez [D.I. 239] reporting that the Debtors have reached agreement in principle with the Official Committee of Unsecured Creditors (the "Creditors' Committee"), the coordinating committee of Senior Lenders (the "Co-Comm") and the Elliott Lender concerning certain

modifications to the Debtors' proposed plan. The terms of the agreement in principle are set forth on Exhibit A attached to the letter.¹

PLEASE TAKE FURTHER NOTICE THAT, the Debtors intend to file with the Court, on or before Tuesday, October 5, 2010 at 12:00 noon (New York time): (i) the Second Amended Joint Plan Of Reorganization Of Truvo USA LLC, *et al.* Under Chapter 11 Of The Bankruptcy Code (the "Second Amended Plan"); (ii) the Supplemental Disclosure Statement With Respect To The Second Amended Joint Plan Of Reorganization Of Truvo USA LLC, *et al.* Under Chapter 11 Of The Bankruptcy Code (the "Supplement"); and (iii) the Motion for an Order: Authorizing Certain Modifications To Debtors' First Amended Joint Plan Of Reorganization Pursuant To Section 1127 Of The Bankruptcy Code; (B) Approving Supplement To Disclosure Statement; (C) Establishing Procedures For Voting On Debtors' Second Amended Joint Plan Of Reorganization; And (D) Scheduling Confirmation Hearing (the "Re-Solicitation Procedures Motion").

PLEASE TAKE FURTHER NOTICE THAT a hearing to consider the Re-Solicitation Procedures Motion shall be held on **October 6, 2010 at 9:30 a.m. (New York City Time)**, or as soon thereafter as counsel may be heard, before the Honorable Arthur J. Gonzalez, United States Bankruptcy Judge, Court Room 523 at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004.

PLEASE TAKE FURTHER NOTICE THAT copies of the Second Amended Plan, the Supplement and the Re-Solicitation Motion will be posted on the Bankruptcy Court's electronic case management website at <http://ecf.nysb.uscourts.gov> and the Debtors' claims agent's website at <http://www.kccllc.net/truvo>.

PLEASE TAKE FURTHER NOTICE THAT responses or objections, if any, to the Re-Solicitation Procedures Motion shall be in writing, shall state with particularity the reasons for the objection or response, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, and shall be filed, together with proof of service, with the Clerk of the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408, with a courtesy copy delivered to the chambers of the Honorable Gonzalez, United States Bankruptcy Judge, and served such that the responses or objections are actually received no later than **9:00 a.m. (New York City Time) on October 6, 2010** on the following parties: (i) the Debtors, Truvo USA LLC, Corporation Trust Center, 1209 Orange Street, Wilmington, DE, Attention: Marc C. F. Goegebuer with a copy to Cleary Gottlieb Steen & Hamilton LLP, One Liberty Plaza, New York, NY 10006, Attention: Thomas J. Moloney, Esq. and Sean A. O'Neal, Esq., and a copy to Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456, Attention: Vincent E. Lazar, Esq.; (ii) the Office of the United States Trustee, U.S. Department of Justice, 33 Whitehall Street, 21st Floor, New York, NY 10004, Attention: Brian S. Masumoto, Esq.; (iii) counsel to the Statutory Committee of Unsecured Creditors, Cadwalader Wickersham & Taft LLP, One World Financial

¹ Capitalized terms not otherwise defined herein are given the meaning ascribed to them in the Debtors' First Amended Joint Plan of Reorganization of Truvo USA LLC, et al., Debtors Under Chapter 11 of the Bankruptcy Code (the "Plan").

Center, New York, New York 10281, Attention: Gregory M. Petrick;; (iv) counsel to the Coordinating Committee of Senior Lenders, Linklaters LLP, 1345 Avenue of the Americas, New York, NY 10105, Attention: Martin Flics, Esq.; (v) counsel to the Senior Agent and Security Agent, Allen & Overy LLP, One Bishops Square, London, E1 6AD, Attention: Randal Weeks, Esq.; and (vi) counsel to the Elliott Lender, Kleinberg, Kaplan, Wolff and Cohen, P.C., 551 Fifth Avenue, New York, NY 10176, Attention: Abbey Walsh, Esq.

PLEASE TAKE FURTHER NOTICE THAT if you fail to respond in accordance with this Notice, the Bankruptcy Court may grant the relief requested in the Solicitation Procedures Motion and enter the proposed order without further notice or hearing.

Dated: October 1, 2010
New York, New York

CLEARY GOTTlieb STEEN & HAMILTON LLP

By: /s/ Sean A. O'Neal
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